

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

RESOLUTION NO. 2001-30

A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO COUNTY COMMISSIONERS, SHERIFFS, AND OTHER LOCAL GOVERNMENT OFFICIALS REQUESTING SUPPORT, COMMITMENT , AND STAFFING IN THE AREA OF WATER SHORTAGE COMPLIANCE AND ENFORCEMENT

WHEREAS, a severe drought condition is presently affecting the majority of the South Florida Water Management District; and

WHEREAS, the year 2000 was the driest calendar year on record District-wide since 1938. The average District rainfall is approximately 52 inches. District-wide rainfall for the year 2000 was approximately 39.46 inches; and

WHEREAS, the surface waters of Lake Okeechobee are at a record-breaking low of 10.63 feet NGVD, as of March 6, 2001; and

WHEREAS, when Lake Okeechobee's elevations fall below 10.0 feet NGVD the District's ability to deliver water supplies to the Lower East Coast Region is significantly impaired; and

WHEREAS, water availability from Lake Okeechobee as a supply source and to provide sufficient water to protect the public utility water supply intakes for those utilities around the Lake during the next few months will be extremely limited; and

WHEREAS, the ground water levels of the Water Table, Lower Tamiami, Sandstone, and Mid-Hawthorne Aquifers on the Lower West Coast are below normal and declining at rapid rates; and

WHEREAS, the ground water levels in the Surficial Aquifer System in the Lower East Coast are below normal, and expected to continue to decline at rapid rates, particularly as recharge from WCAs and Lake Okeechobee are reduced; and

WHEREAS, water availability in the Water Conservation Areas (“WCA”), which are the primary source of surface water supply and recharge for the Lower East Coast, is below average, with the level in WCA-1 and WCA-2 below the minimum levels of their current regulation schedules. Projections indicate the level WCA-3 is anticipated to reach the minimum level of its current regulation schedules soon;

WHEREAS, the surface waters of C-23, C-24, and C-25 are near or below minimum levels; and

WHEREAS, water users within South Florida rely on these water sources for both agricultural and domestic uses such as lawn irrigation; and

WHEREAS, irrigation demands are presently high because of the rainfall deficit and increased evapotranspiration rates; and

WHEREAS, the Governing Board has declared numerous Phase II and Phase III (severe and extreme) restrictions affecting the vast majority of the South Florida Water Management District; and

WHEREAS, the Climate Prediction Center anticipates the drought condition will persist in this region throughout the winter, spring, and summer months of 2001; and

WHEREAS, the District has undertaken a public awareness and education campaign in coordination with local utilities; and

WHEREAS, compliance with the restrictions currently in place has not been as anticipated. Based on a comparison of the month of February 2001 vs. February 2000, District-wide there has been an average of a 7% reduction in water use; and

WHEREAS, although many local and municipal governments have adopted ordinances to facilitate water shortage enforcement, inconsistent enforcement of these restrictions is occurring; and

WHEREAS, due to the severity of the resource conditions there is a need for more enforcement assistance; and

WHEREAS, section 373.609, F.S., provides that it shall be the duty of every state and county attorney, sheriff, police officer, and other appropriate city and county official, upon request, to assist the governing board of any water management district in the enforcement of the provisions of this law and the rules and regulations adopted thereunder;

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT:

Section 1. In light of the severity of the water resource conditions in south Florida, the Governing Board of the South Florida Water Management District hereby respectfully urges County Commissioners, Sheriff's, and other local government officials to support implementation of water shortage restrictions by dedicating the necessary resources to the effort, including public education

campaigns, public service announcements, compliance and enforcement actions, and other appropriate activities.

Section 2. The Governing Board pledges its continued support for actions in furtherance of enforcement of the current water shortage restrictions throughout south Florida, including exercising the provision in the District's *Claims Settlement and Litigation Policy* delegating authority to the Executive Director to initiate any legal proceeding when there is an immediate and significant threat of harm to the natural resource, danger to the public health, safety, and welfare, or financial loss or liability. Additionally, the Board pledges its continued support of public education and awareness campaigns, training programs for law and code enforcement officers, and enforcement by District personnel of permitted users.

Section 3. The Executive Director is hereby authorized and directed to furnish copies of this resolution to the County Commissioners, Sheriff's and other appropriate local elected officials within the jurisdiction of the South Florida Water Management District.

Section 4. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Governing Board of the South Florida Water Management District on the ____ day of March, 2001.

SOUTH FLORIDA WATER MANAGMEENT
DISTRICT, BY ITS GOVERNING BOARD

By: _____
Nicholas J. Guitierrez, Jr., Chairman

ATTEST

By: _____
Secretary

LEGAL FORM APPROVED:

By: _____
John J. Fumero, General Counsel